

**PLANNING COMMISSION
COMMISSIONER'S HEARING ROOM, COUPEVILLE, WA
MONDAY, MAY 11, 2015**

	<i>Members Present</i>	<i>Members Absent</i>
<i>District 1</i>	<i>Val Hillers</i>	
	<i>Dean Enell – Vice Chair</i>	
	<i>Karen Krug</i>	
<i>District 2</i>	<i>Jeffery Wallin – Chair</i>	
	<i>George Saul</i>	
	<i>Darin Hand</i>	
<i>District 3</i>	<i>Wayne Havens</i>	
		<i>Beth Munson</i>
	<i>Scott Yonkman</i>	

Meeting was called to order at 2:03 p.m. by Chair Wallin.

ROLL CALL

Wayne Havens, Scott Yonkman, Dean Enell, Jeff Wallin, Val Hillers, Karen Krug, George Saul, Darin Hand

Minutes:

None

Planning staff present: Dave Wechner – Director, Planning and Community Development, Brad Johnson – Long Range Planner, Amanda Almgren – Long Range Planner

ITEMS FROM THE PUBLIC

Garrett Newkirk, 170 West Frostad Rd, Oak Harbor

Mr. Newkirk found the reference to the North Whidbey Planning Area disconcerting. He stated even though North Whidbey is considered its own planning area, a meeting was not held in the area. There were meetings held in Oak Harbor and on Camano, yet a meeting was not held in North Whidbey, which disenfranchised the North Whidbey residents. People were unable to attend the meetings due to late night driving and distance. North Whidbey residents were directed to go to Oak Harbor or Camano to attend the planning meetings.

Lou Malzone, 5928 Pleasant View Lane, Freeland

Commissioner for the Freeland Water and Sewer District

Mr. Malzone updated the Planning Commission on the progress of the sewer plant.

- Hydrogeology testing is entering its final phase. Three monitoring wells have been drilled, the soil logs have been extensively reviewed and the soil composition is very favorable for using the property as an infiltration site.
- He said Doug Kelly, the Island County Hydrologist has requested information from the Freeland Water and Sewer District; he is concerned about the drinking water, due to nitrogen buildup problems in the area.

- He stated they are talking to business leaders, particularly Richard Soto, who owns the Harbor Inn in Freeland in regards to organizing property owners to discuss funding in depth, once the hydrogeology study comes back.
- The District has sent a letter to the County requesting between 650 thousand to one million dollars to reconstruct the roads after the sewer is installed. A few years back the County contracted with a company out of Seattle for the main street re-build and the County Commissioners at the time indicated they would be willing to contribute about a million towards rebuilding Freeland.
- The District has sent a letter to the Planning Department, along with a financial analysis explaining why the prior plans are not affordable, based on the population growth and the cost of the sewers.

DIRECTOR'S REPORT

Dave Wechner stated the Planning Director's report was e-mailed recently to the Planning Commission. He provides the monthly report to the Board for their third work session of the month.

He responded to the comments raised on items that were not on the agenda:

- Oak Harbor is in the North Whidbey Planning Area, meaning the meeting would include everyone in the North Whidbey Planning Area. There was also a meeting on Camano, which was attended by residents from Whidbey.
- Regarding the late hour, comments were made that meetings were held too early in the day. Staff is conscious of the issue and would like to mix it up and have some evening meetings and some afternoon meetings for those that have concerns both ways. There are additional public involvement meetings to be scheduled in the planning areas and probably another meeting in Freeland. It was noted that the space available was not large enough to accommodate everybody who attended the previous meeting in Freeland.

CONTINUED BUSINESS –

Continuation of the Public Hearing on April 27, 2015 on the Scope of the 2016 Comprehensive Plan Update.

Brad Johnson addressed the Planning Commission stating this is a continuation of the scoping decision discussed from the previous meeting. Since then, staff has provided a number of revised documents which were forwarded to the Planning Commission. He summarized the particular changes:

- Findings of Fact were prepared for the Planning Commission's consideration.
- In response to comments made in the previous meeting and input received from the Board, staff prepared a list of ten goals for the Comprehensive Plan Update. The idea was to simplify and clearly state what the objectives are for the update process.
- A few changes were made to the review table, notably the priorities which were deleted as they were found to be confusing.
- Two additional items were included within the optional list.
 - Additional work on the Historic Preservation Element.

- Additional public outreach meetings on commercial Rural Areas of Intense Development (RAIDs).

Commissioner Krug asked staff if additional outreach and coordination with Clinton and other commercial RAIDs was one the goals, then why is it listed as an option.

Brad Johnson responded to Commissioner Krug, stating if the Planning Commission chooses to forward their recommendations to the Board; it could include the additional public outreach as an optional task in the recommended scope.

Dave Wechner informed the Planning Commission and the public that he has asked staff to start off with a summation of the goals and to read the goals into the record. This will allow the Planning Commission to decide if there is additional discussion needed.

Brad Johnson gave a brief summary of the purpose of the goals. He then read the 2016 Comprehensive Plan Update Project Goals as provided to the Planning Commission.

Commissioner Enell said it was a wonderful list and congratulates staff. However, he would add an additional goal. It is the same issue which he has brought up numerous times. With the growth occurring in the rural areas versus the growth occurring in the UGAs and cities within certain areas of the County, he would propose the following: *review and update measured residential growth in rural areas as compared to more densely zoned areas with respect to GMA requirements for preservation of open space and rural character and the avoidance of GMA defined sprawl*. He specifically pointed to the 80% population growth occurring in rural residential areas versus the 20% population growth in the UGA and the City. As he reads the GMA law it should be addressed.

Commissioner Krug asked staff if goal number seven is also including the winery definitions and agritourism.

Brad Johnson addressed both Commissioner Krug's question and Commissioner Enell's proposal; the objective in establishing the goals and the review table was not to prescribe a particular course of action but merely identify the areas that would be addressed through the update. Staff has identified rural land uses and the modification of Urban Growth Areas as items that need to be addressed. At this point the Planning Commission is not being tasked with making a decision on what particular course of action should be taken, except to say that it needs to be looked into.

Commissioner Enell commented on Goal eight, additional outreach and coordination with the Clinton community. He thinks it is a wonderful goal and there is a group there trying to revitalize Clinton.

Commissioner Krug asked staff to explain how the goals and the review table will function procedurally, since they do not line up. She asked staff if the items on the table can be prioritized to align with the goals.

Amanda Almgren answered, stating that she does not believe the table has to be changed just note that part of the recommendation is to include the options.

Brad Johnson added that the final page of the Findings of Fact, the conclusion statement states that the Planning Commission's recommendation is for the Board of Island County Commissioners to adopt the resolution directing Planning and Community Development to address all of the areas identified in the review table as either required or recommended. Should the Planning Commission choose to add to the recommendation to ensure the goals are carried out; specifically with respect to the Historic Preservation and the additional outreach to the Clinton community, the statement could be added.

Commissioner Yonkman wanted to address Mr. Newkirk's comment regarding the proper amount or representation for public meetings. Commissioner Yonkman has felt there have been more public meetings and a good effort to get this issue out to the public. The County staff has held many meetings, about fourteen with the inter-governmental meetings. He wondered from staff's perspective whether they felt adequate time has been given to the public meetings.

Dave Wechner agreed with Commissioner Yonkman, stating however there are never enough meetings. He asked to keep in mind this is the first round of meetings. In the two meetings he was able to attend, the public often times wanted to talk about specific details. Staff kept trying to pull them to the bigger broader issues for the community at large. A lot of people look at the community at large through the lens of their own property and it is understandable.

Staff is faced with trying to distill those individual comments into a broader context and that is part of the reason several methods were used. Through SurveyMonkey staff received about 700 responses, survey responses were also received at the individual meetings held for the public, where surveys were handed out. There were flip charts on which staff wrote people's comments and refined them down to the issues. Total responses and people engaged numbered about 900 individuals. From his experience, that is a good number for the first round of meetings. More public participation is anticipated at the later stages of the process, where more specific discussion are held regarding development regulations and more focused issues in the different planning areas.

Commissioner Hillers agreed 900 individuals was a good turnout.

Dave Wechner added that staff learned from the experience, for example the Freeland facility was not large enough as staff did not anticipate such a large attendance. Adjustments will be made for future meetings to accommodate as many people as possible.

Commissioner Yonkman said a lot of effort has been put forth in the last couple of years by improving the public participation strategy and plan. There have been positive comments regarding a fair opportunity for the public to respond.

Dave Wechner added there is a Website for the Comp Plan Update, which previous updates did not have. The Website is Islandcounty2036 and is available for those who are unable to attend the meetings; they are able to submit comments through the website. Another round of news

releases is forthcoming after the scoping update to present the scope of work and ask for more input on the topics.

Commissioner Yonkman asked if part of the notices inform the public of the different methods for providing their input.

Commissioner Enell wanted to mention the SurveyMonkey questionnaire online, in the subsequent analysis he thought it was very good, a lot of responses were captured and it allowed people to actually give input rather than check off the boxes. It was a wonderful approach for public involvement.

PUBLIC COMMENT

Marian Myskowski, PO Box 114, Langley

Representing Goosefoot

Ms. Myskowski wanted to address the Planning Commission regarding the protection and enhancement of open space and rural character, which has been the priority for the Comprehensive Plan Update so far. She feels that agriculture and local food must be a priority as well.

- Without agriculture and local foods they will not have open space and rural character. Ensuring the success of the farmers, ranchers and vintners is absolutely vital to preserving the rural character of Whidbey Island. Their responsible stewardship of land protects those scenic vistas, produces local food and adds vitality to the local economy by attracting visitors interested in agritourism. The farmers, ranchers and vintners are also an untapped resource for economic development.
- Allowing Rural Event Centers so Whidbey Island can become a regional wedding and special event destination means more local goods are purchased, more locals are employed and local hotels, shops and restaurants are frequented.
- She also discussed the use of local agricultural commodities to produce value added food specialty products.
- Positive regulatory environment for small businesses is crucial to an island economy. She asked if Island County Planning and regulatory departments work in a healthy partnership with the current farmers, ranchers, vintners and those wanting to start new businesses.
- She discussed Goosefoot's interactions with several organizations in the last year on how to support the local food system.

Garrett Newkirk, 170 West Frostad Rd, Oak Harbor

Mr. Newkirk wanted to draw the Planning Commission's attention to page nine of the Scope of the Comprehensive Plan.

He said the illustration shows topics identified as other, which more than 65% says NAS Whidbey/OLF compatibility. Farmers are a vital key role for the island and its rural character. He stated that with NAS Whidbey on the island, farmers are unable to farm

their fields or do anything on their fields when the jets are flying. With NAS Whidbey, open space and rural character are not being protected.

He stated the Planning Department and Planning Commission should be protecting the civilian population and not the federal organization that is breaking every single state and federal law.

Commissioner Hillers wanted to confirm she understood the graph. She believes it is a summary of the comments from the public meetings. These comments are not from the Planning Commission or the Planning Department.

Mr. Newkirk stated it was part of the questionnaire and topics identified as other where not really identified until he saw the chart. He continued to express his concerns regarding the impacts NAS Whidbey has on the island. He asked the Planning Commission to bring back the APZ zoning and have it be part of the Comprehensive Plan Update.

Allen Peyser, 221 2nd St #2B, Langley

Mr. Peyser thinks this is very preliminary and is hard to know what is going to happen as this study continues. He does not fully understand the position of the Board and what the Planning Commission's responsibilities are. He has two issues he would like to discuss.

- He feels very uncomfortable about the amount of public participation planned for this project. The surveys are fine, although 900 respondents against roughly 50,000 residents of the island is a very small percentage. When looking at the questions, they often did not address some of the issues they are really concerned about. He feels that the Growth Management Act makes it very clear that the public is to be actively involved in the actual study itself. That does not mean to him, the staff simply communicates with the public or periodically go on to say what they have done as a planning department.
- He wanted to bring to the Planning Department's attention something they may not be aware of; the previous group in the Planning Department elected to modify the Freeland Plan and proposed to move the Freeland Village down next to the water. They also recommended that 7-Eleven type facilities be sprinkled all over the Freeland community to allow individuals to walk and pick up groceries. The proposal drew anger in Freeland and the plan had to be retracted. He is stating planners do not always have the best ideas. He hopes there is more public involvement.

Chair Wallin confirmed with staff that the public is able to continue submitting e-mails with their comments.

Amanda Almgren affirmed Chair Wallin's statement. The public may address the comments to the Planning Commission and send the comments to the Planning Commission Secretary and she will forward them to the members.

Commissioner Enell asked Mr. Peyser if he had a recommendation on how he would increase public participation.

Mr. Peyser responded that he does have a recommendation, but with limited time allotted it is impossible to discuss. He stated he was previously on the committee for the Freeland Subarea

Planning Committee and worked on the Freeland Plan for 3 to 4 years and held 85 public meetings.

Dave Wechner informed the public that the Planning Commission's Secretary can take their written comments during the meeting. If they have a copy they can provide it to her, if not she can make copies after the meeting and include them for the record.

Jack Lynch, 6771 Columbia Beach Dr, Clinton

He is the president of the Clinton Community Council. He said Commissioner Enell referred earlier to the fact they are a new community council on Whidbey Island. They represent approximately ten community organizations. The purpose of the group is to pull together ideas and thoughts to represent the needs and interests of the community. As an unincorporated area, they have to fight a little harder to see their interests and needs met. He would like to mention a couple of things.

- Under the focus areas item O-3, regarding economic development, he thinks there is an indication that there is a lot of interest in that area but the effort necessary to pull off an Economic Development Element of the Plan might be daunting.
- He said in the case of Clinton, the Port of South Whidbey has received a grant of approximately \$40,000 to hire someone to do a market research analysis of Clinton. Clinton is in need of improvement to the economic situation in the lower downtown area. They are anticipating the study and the results in the next few months. Together with the Port they anticipate having good information that will lead towards positive indications of directions that would feed into the Comp Plan.
- He also discussed O-4, which speaks to outreach to the commercial RAIDs. They expressed earlier the area of the RAID boundaries and know it cannot be reduced, but wonder if it can be modified as long as they are not increasing in overall area.
- Lastly, he has been very happy with the work done with the Planning staff this time around and they do deserve support.

Claudia VanderPol, 6165 Counter Ct, Clinton

Ms. VanderPol and her husband farm at Maxwelton. She would like to speak about farming on South Whidbey. Together they operate a 60-acre farm at Maxwelton that has been in existence since 1955, but the valley has been farmed since 1907.

She wished to speak on the importance of preserving agricultural land and agricultural viability in Island County. The regulatory areas have increased and farmers are afraid to farm. She stated that farming has been diminished and encourages the Planning Commission to realize the impact regulations put on the farms, farming and the complaint process that stops farming activity without justification or knowledge on the part of the County is really a serious issue. As the regulatory environment increases more farmers are walking away from farming efforts.

The agricultural lands in the County are a large part of what provides the rural character and charm so loved by those who live in and visit Island County. This charm is gradually being lost because of the reduction in farmland. Without a conscientious effort on the part of the County to protect the agricultural land and enterprises, they will continue to erode that unique character. She asks that in the planning and development of the updated

Comprehensive Plan the Planning Commission do everything in their power to see that restrictions on farming are not increased and whenever possible regulations allow farming activities to be more viable. This includes protecting existing farmlands from neighbors who allow or create wetlands that encroach on existing farmable land.

According to the surveys taken in the planning process, retention of the rural character is the most strongly expressed preference.

Farming is not contrary to balance environmental purposes. The proper maintenance of farmland is an important element for diversified healthy ecosystem.

She referred the Planning Commission to the front article of the Seattle Times dated May 7, 2015, which speaks to the issue of open lands and birds and the increase in that population. She also expressed that planning is a key part of a well-functioning bio diversified community in large that provides the charm that exists in Island County.

Daryl VanderPol, PO Box 1249, Clinton

Mr. VanderPol spoke as a Commissioner of Diking District #2. This diking or drainage district covers the lower Maxwellton Valley, south of French Road. This district was formed in 1914 for the purpose of improving and maintaining farmland in the lower Maxwellton Valley.

- The District maintains a tide gate at the outflow of Maxwellton Creek. This tide gate controls and prohibits saltwater intrusion which would damage farmlands; it also keeps salt water intrusion from compromising numerous residential beachside water wells and septic systems. In spite of the tide gate maintenance, in recent years the Maxwellton Creek bed has become totally silted in with 3 to 4 feet of silt and only a few inches of water flow. He further described the impacts the maintenance has had on the health of the creek.
- In recent years, the farmers have become tired of the effort and the regulatory environment that has become more restrictive. The historical maintenance has not been possible; the stream in the lower valley has become a wasteland. His telling of this story is because the solution requires an approach that is beyond the reach of Diking District #2. They need a countywide approach to restoring the health of Maxwellton Creek. He understands the Maxwellton watershed is the largest in Island County. The head waters begin near the South Whidbey schools in Castle Park. All the silt comes from the named public facilities and everywhere else along the length of the Maxwellton drainage basin. The problem of the siltation generated from a significant watershed is placed on the shoulders of a few property owners in the lower valley. He stated this was not right; the County needs to develop a mechanism by which this area wide issue can be addressed at the County level.
- He is asking the Planning Commission and the Board of Island County Commissioners to put into place a method by which total watershed issues can be addressed on a total watershed basis.
- He also said it is not fair, nor right for a few downstream property owners to foot the expense and effort in dealing with the run-off issues generated by a multitude of upstream participants.
- He suggested that one source of funding for this undertaking is the Clean Water Utility fee, which is part of the property tax bill. The Island County Clean Water Utility website states that the fees are intended to “address concerns related to water quantity and quality

in Island County.” He can think of no more appropriate use of those fees than to begin addressing the problems of the largest watershed in the County.

- As he looks at the project goals, he does not see where this fits in, but he thinks it should. It is a countywide issue that cannot begin to be addressed as Diking District #2.

Marianne Edain, WEAN, Box 53, Langley

Ms. Edain is concerned with Goal Number 2, Review and Update the County Critical Areas Regulations by June 30th and incorporate GMA compliance strategies for meeting the needs of agricultural activities. She gets the impression that critical areas are getting a little bit of review in favor of Ag activities. Obviously her preference is that critical areas get a much greater emphasis.

- She presumes all parties are aware of the Growth Management Hearing’s Board ruling in case number 98-20023C that remanded the issue of agriculture and critical areas back to Island County because an interim ordinance does not fulfill the requirements of long-term protection of critical areas in the face of agriculture. The County has until November to comply and she is interested to hear how that compliance is going to relate to this process, since they are closely related.
- She agrees with Mr. Vanderpol’s comments. He is talking about cumulative impact analysis. The entire watershed has to be looked at in this instance. Maxwellton desperately needs that kind of analysis; she agrees there are a number of activities that are contributing to the damage to the creek. While the creek is a sick system, it is better than a dead system and she would like to see it restored as much as possible. The only way it can be done is with a cumulative impact analysis on the entire system.
- Goal number 7 is not really a goal; it is a means to an end. It is a good thing to have public outreach but that is not a goal alone. She would like the goal to be rewritten so the public outreach aspect is just that, a means to the end.
- She keeps hearing that Island County’s rural character is dependent on agriculture. Agriculture is one aspect of rural character. A greater and more important aspect is open space which is not agriculture but nature left to do what nature does; provide ecosystem services. Things like clean air, water, climate amelioration; space is needed to do that. Agriculture cannot perform all those services.
- Timing is a very large task and the chance of accomplishing that by June 30th of next year is pretty zip. That being the case, she would like to see some prioritization, when it becomes obvious that the boat is sinking and what is going to be jettisoned, first, second or third.

Lou Malzone, 5928 Pleasant View Lane, Freeland

Commissioner Freeland Water and Sewer District

Mr. Malzone is glad to see Freeland is Goals 3 and 4. He said the Planning Department has done a stellar job getting as far as they are in facilitating a plan to provide sewer services.

- In their interpretation of the word facilitate, the District believes the only role the County has besides the regulatory process of approving the plan is to provide funding.
- He is asking Public Works to fund the Freeland sewer project because it is for road repair. The residents don’t own the road. It is mandatory to cut the road open to put the sewer in, but that part of the cost should really be a countywide cost. It is really a

countywide benefit to develop Freeland. It will meet some of Commissioner Enell's desire to have residents move into an urban area. People are not going to move into an urban area unless there are services.

- In order to meet one of the funding requirements, Commissioner Helen Price-Johnson and Representative Norma Smith are working on preserving the three million dollar grant for Freeland, which will expire at the end of this year. If they complete the hydrogeology study by the end of June, he believes in July they will be adopting a new Freeland Comprehensive Sewer Plan that folds into the study area of the Buildable Lands Analysis which will reduce the Freeland NMUGA to make bringing sewer infrastructure a financially feasible proposition for Freeland.
- When Clinton requires road repair someone will have to pay for it, it is not going to be done through a Low Impact Development (LID) because the LID is a small group of people, to shoulder a ten million dollar cost. The County is going to have to step up again to bring back an inter-local agreement where the County funds Freeland over a number of years. He is talking about four to five million dollars in addition to the one million dollars he has asked for in order to do the roads. Facilitation really means funding.
- The Planning Department is working with the Water and Sewer District extremely closely, as is the hydrologist to make sure there are no obstacles. There are a lot of things that come together that really need a countywide view, even though it appears as if it is only a small group of people receiving the benefit, it really is a countywide benefit.

Christine Williams, 3013 Meinhold Rd, Langley

Ms. Williams is a farmer and she is impressed at the survey results and the e-mails sent in. It shows that people really want this rural character and is why they come to the island. She does not want the island to end up looking like Mercer Island or Bainbridge. The open space on Whidbey is crop land. If something is not done with the land it will soon turn back into blackberries and alder trees.

- The farmers are maintaining these open spaces and the tourists love it, as well as the residents. The farmers are doing this as part of their activities. She knows there are some property tax relief for certain categories but really the tax relief is not what people are farming for. Farming on Whidbey is not easy or lucrative. Land is expensive and the soils are not great and they don't have great infrastructure. They have lost all of the dairy cattle, the poultry industry and farmers on small acreage cannot make a living. Trying to grow basic commodity is not possible, volume is needed. Farmers have to generate value added products and activities, that is what constitutes the rural character.
- She knows agriculture and local food was a fourth priority but without it rural character does not happen. She would like to urge the Planning Commission to make every effort to ensure the farmers can stay in business. They need to be encouraged to generate value added products. She is asking that the farmers are not burdened with too many regulations, such that they cannot make a living and then decide to leave.

Susan Bennett, 2191 Goss Ridge Road, Freeland

Ms. Bennett said in the past, the Planning Department and Planning Commission have benefitted from the use of volunteer advisory groups around each of the elements of the plan updates. She

wondered if citizen committees are going to be used during this update and how does someone volunteer to serve on a committee.

Brad Johnson suggested referring to the Public Participation Plan and Preliminary Schedule that was adopted by the Board and the Planning Commission in 2013. It identifies for each of the broad phases of the Comprehensive Plan Update, the number of essential public participation strategies and the use of technical advisory or citizen advisory groups was identified for certain topics. There is a technical advisory group for the Critical Areas Update and the Department is may utilize the same model for other components of the Comprehensive Plan. Specifically those areas where citizen input would provide the most assistance to both the Planning Commission and the Planning Department. Not every topic has a wealth of citizen interest for instance the Utilities Element.

Dave Wechner identified a few of the advisory groups that are already in existence, reaching out to these groups will be part of the effort. Some of this is behind the scenes and takes place in the Planning Department, not all of the process is discussed in public hearings. There is a Marine Resources Advisory Committee and Water Resources Advisory. The Planning Commission is a conduit for information to staff as is the Historic Preservation Commission. These are some of the examples of the commissions and the representatives that are heard from.

If there is a particular interest that is covered by an existing County advisory group or committee, go to that group with the concern, write them a letter or attend one of their meetings, they all follow the similar format as the hearing today. There may be some ad hoc advisory groups that come out of this process.

Commissioner Hillers moved to close the Public Comment Period, Commissioner Yonkman seconded, motion carried unanimously.

Commissioner Saul asked for two of the public members to explain the types of farming regulations they were talking about. He said they were onerous, overriding, burdensome, put out of business kind of regulations relative to agriculture.

Dave Wechner informed the Planning Commission there would be a need to open a limited public comment period.

Commissioner Saul said that could be done or if any of his fellow Planning Commissioners can provide any examples of what the prior speakers may have been referring to. He is just looking for some context.

Commissioner Havens said he had spent his teenage years on a dairy farm and the first word he learned on the farm was work. He spoke of his experience on a farm and the decrease of dairy farms due to regulations.

Commissioner Saul asked staff or the other Planning Commissioners if those regulatory items would be addressed in the Comprehensive Plan Update.

Commissioner Krug responded to Commissioner Saul stating those issues would come up in the Critical Areas Update. It may be in the form of buffers which takes away a land that cannot be used for agriculture.

Commissioner Saul asked if the Maxwellton Creek is being addressed with the Water Advisory Group or is it part of the items being reviewed.

Brad Johnson replied to Commissioner Saul's question, stating there is an item in the formal review table that speaks to surface water quality and it would be addressed there.

Commissioner Krug asked if it has ever been looked at as a whole system.

Brad Johnson responded to Commissioner Krug's question stating the current Critical Areas Update is utilizing what is known as a watershed based approach, analyzing critical area functions and that includes an integrated review of the relationship between ground water, surface water resources and critical area functions; that is the goal and objective of the critical areas update work.

Dave Wechner added that some of the past critical areas ordinance amendments focused on an adapted management system. Part of what that needed was years of data to make some conclusions about where the problems lie and what the solutions might be. Five years of water quality monitoring data took place through 2013 and a five year monitoring report was constructed.

There weren't any good conclusions that came out of it, but the water quality staff, Department of Natural Resources at Island County Public Health has been able to focus more on watersheds where they see issues like degradation of water quality and possibly tying it to land uses in the area. That kind of connection will take place in the watershed characterization model that Brad Johnson suggested as part of the Critical Areas Ordinance Update. That is the primary vehicle for looking at the health of watersheds in the County on a watershed basis, whether it takes the next step as Mr. VanderPol suggested remains to be seen and takes his comments to heart.

Commissioner Saul commented that it sounds like there is a process, a procedure; there is some road for people who are interested in the topic to follow and get involved. He also addressed the concerns from the public regarding the representation of the critical areas. There are concerns of under representation. He said it is a serious concern that only twelve percent of the respondents out of the nine hundred were forty five years or younger. He also invited suggestions to improve the public participation.

Commissioner Krug stated she would like to add another item in the optional category. She thinks that over the next few years there needs to be emergency planning for terrorists or earthquakes. She agrees with having more public involvement and comments. It is very important to get the message out when the issues are being discussed.

She further commented that another issue moving forward with this is the timing when the issues are approached. Summer is not the time to discuss items that impact agriculture, since those

affected, who would make comments or give input work late hours; this also includes wineries. She suggested setting meetings at times those affected could attend. She also asked about the Hearing Examiner's involvement in the code clean-up process, asking if he should be identified as part of the process since it was part of the Joint Session discussion.

Dave Wechner replied to Commissioner Krug's inquiries. He said during the Joint Session, it was identified that Mr. Bobbink as part of his contract would look at the Code. Over his twenty plus years of being the Island County Hearing's Examiner he has identified some areas that he felt code clean-up might help. At this time there is no contract with Mr. Bobbink and there is no answer. Staff has come up with a pretty lengthy document of code changes as a clean-up category, for example redundant language, definitions that conflict with each other, etc. The Examiner being part of the process is a little more detail than needed in the goals since it is just part of the code clean-up effort.

Commissioner Krug stated she feels that this update needs to be right since the last time it was done completely was 1998, which is a very long time ago. She does think the existing Comp Plan is hard to find on the website. It has very valuable and historical information and some of it should be preserved in the rewrite. She agrees with quite a number of the speakers about rural character being agriculture and is very important to the County. Ag and local food is very important and is an area that cannot be lost.

She recommends the RAID issue, number 8 should be included and moved to be in the findings as being one of the things that is in the Comprehensive Plan or move it to as required, as well as the Historic Preservation Element.

Amanda Almgren said the intent is to include all those mandatory GMA required items under Goal number 1 and to complete the required updates by the deadline.

Commissioner Hillers stated she felt good about the documents. There has been so much time put into thinking about the Comprehensive Plan. It is ambitious; they have the framework but still have so far to go to get a plan developed. The public may be frustrated by the process but there needs to be a blueprint before they can build a house, there needs to be a plan before they can do the Comprehensive Update.

She felt the Planning Commission is ready to move on to doing what the matrix is saying to do. She thought about Commissioner Enell's proposed goal and thinks it is a piece of number 7, managing rural land uses. It is a strategy more than a goal.

Commissioner Enell addressed Mr. Peyser's comments, Freeland spent a number of years with the Freeland Subarea Plan; it was an enormous effort with a large number of people involved. It led to the Freeland NMUGA and there is a quintessential interest group that works to give input on what the community wants.

There has been talk about the Maxwellton Creek area; there is the Whidbey Watershed Stewards who are concerned about it. There has been the divide between what the farmers would like to see and there are those that favor salmon habitat. There are other issues and it comes to a head

where the dike is located. He would encourage sending out the flyers to the established groups and get their feedback on those situations.

He stated Mr. Malzone made a great quote, “*facilitation equals funding*”, when it comes to creating the type of infrastructure that is needed to accomplish the GMA plan, that is what it boils down to, they have to create what is required in those areas. Freeland for example has to create a sewer to be able to put a residential development into a UGA. That would also apply to the Clinton area. In the economic development in Clinton, funding will play a large part.

Critical Areas is a battle sometimes between the agricultural interests and those interested in the critical areas. In his experience, it generally boils down to one big issue, wetlands. Wetlands are very useful, they store water, some would like to see that water flow on through and empty into the bay quicker than it does, but there needs to be balance with some of the ecological benefits.

Commissioner Yonkman stated as a 45 year resident of Island County and a 30 year business owner, rural character is very important; it is difficult to maintain and also balance economic development. In testimony he heard today, one thing to keep a keen eye on is value added products, which can allow these farms to make a living. There has to be great sensitivity to that. If critical areas are requiring more setbacks, restrictions to the use of land, which he understand is important, however rural character also needs to be kept and not hindering the farmers.

Going forward, at least for him, needs to include allowing farmers to have value added products. Events of certain types may be a part of that and would need to be looked more seriously. He knows there are many meetings that are held where there is minimal attendance and there needs to be a way to get the public more involved.

He is very grateful for the number of people showing up for the last few meetings, the public’s input is critical to the Planning Commission’s ability to sort out these issues. The Commission wants to represent the people, but they need to hear from the people. He asked the audience to encourage their friends and family to get involved. He asked staff why economic development is not a requirement of the GMA.

Brad Johnson responded that the GMA was amended to require that governments include an economic development element in their Comprehensive Plans but there was a provision that stated it did not need to occur until the state legislature provided funding to local governments to pay for the work of developing an economic development element. To date the state legislature has not provided that funding. At the moment Island County is not required to include a specific economic development element. Economic development is a requirement throughout the GMA and it does mention the need to address it in numerous places. Even in the absence of including a specific element it is still required to address economic development considerations.

Commissioner Yonkman commented in reading the formal review document, under level of effort for an economic development element, (item O-3) creating a comprehensive economic development plan for the County would be a sufficient undertaking, requiring a large amount of information about the nature of the County’s economy and it does not currently exist. He knows there is a very passionate person who heads the Economic Development Council (EDC) in Island

County, Ron Nelson. Commissioner Yonkman knows he has been compiling data for years and wonders if perhaps he is not being utilized enough.

Commissioner Krug said she thought it was SR-4 in that same document that addresses the economic development framework.

Commissioner Hillers asked for clarification if the Planning Commission needs to approve the project goals, the framework or if the only item action being taken in this meeting is the Findings of Fact.

Brad Johnson answered Commissioner Hiller, stating she was correct. The Findings of Fact reference the project goals and the formal review table and are the only things the Planning Commission needs to take action on.

Dave Wechner added the Planning Commission can make amendments to the Findings of Fact. He suggested the Planning Commission take a five minute break and contemplate those changes, then make a motion.

Commissioner Krug moved in the Findings of Fact paragraph 15, states the Planning Commission has reviewed the table prepared by the Planning Department, finds that the given time, resource constraints upon the department should address those items identified as required or recommended during the second phase of the Comprehensive Plan Update, she moves staff should address those items identified as required or recommended and also O-6 and O-4 during the second phase of the comprehensive update. She also moved the conclusion should also read the areas identified in the revised formal review table GMA No. 11418 as required or recommended and option O-6 and O-4, Commissioner Enell seconded, motion carried unanimously.

Commissioner Krug stated she had another amendment also in paragraph 15. She said it was not as substantive as the previous amendment but she would like to add an additional O component addressing emergency planning for terrorism. She said this would be optional and can be looked at after the Comprehensive Plan is done but this way it is not forgotten.

Dave Wechner asked Commissioner Krug to clarify if she meant Finding 15 and not paragraph 15; she is proposing an additional option or proposing an amendment to option 6. Commissioner Krug responded, she meant Finding 15 and she is proposing an additional option and did not give it a number.

Daniel Mitchell, Island County Prosecuting Attorney informed Commissioner Krug there is an Island County Comprehensive Emergency Preparedness Plan and it is separate from the Comprehensive Planning effort. It was last updated in 2009 but the Department of Emergency Management is in the process of updating it.

Commissioner Krug asked if it is reviewed by the Planning Commission.

Daniel Mitchell responded he is not aware if it is treated as a GMA issue.

Commissioner Krug withdrew her recommendation.

Commissioner Enell said number 16 references 10 specific goals and as he mentioned earlier he would like to add an 11th goal. The goal is to review and update measured residential growth in rural areas as compared to more densely zoned areas in some areas of the County, these shall be reviewed in respect to GMA requirements for the preservation of open space and rural character and the avoidance of GMA defined sprawl.

Dave Wechner responded that his recommendation is more specific to tasks, as well as a broader goal he is trying to address. He suggested, with Commissioner Enell's permission, to paraphrase what he said: Proposed Goal 11 – Review and update growth in RAIDs and densities to ensure they are consistent with GMA goals regarding sprawl, preservation of open space and protection of rural character.

Commissioner Enell wanted to get the phrase, the percentage growth occurring in densely zoned areas versus the rural areas.

Brad Johnson suggested perhaps the goal simply state that during the Comprehensive Plan Update, methods of shifting growth from rural areas to urban areas be considered.

Commissioner Enell said the point he was trying to get at was that he was involved in the Comp Plan last time and one of the most crucial things they dealt with was the unbalanced growth occurring in the rural areas and not much occurring in the urban growth areas. When he looks at the figures produced by staff of what has occurred in the last few years, it is like 80 percent of the residential population growth is going into the rural areas. His focus is on the South Whidbey area, the figures need to be addressed. He thinks it needs to be specific so that they do look at those figures of what is occurring and bring it to the stakeholders and see if they want to address it and if so, how. He also stated it is one of the most important things they can do to build rural character through the GMA in Island County, specifically the south end district he is from.

Commissioner Havens said his experience is that people do not move up to Camano Island to live in a beehive, they move out of a beehive to be in a rural area. They want an acre or more to live on. Commissioner Enell is saying they should force them to live in an urban area where they have a 60 foot lot.

Commissioner Enell responded he is not saying that at all. He is not trying to force anybody to do anything. He is trying to encourage the County to create infrastructure in the cities and the urban growth areas, which allows people to live there perhaps at less of an expense. In reality it does cost less to the County when people reside in these areas and there happens to be a growth of urban areas now. Seattle would be a perfect example. That sort of lifestyle appeals to people and he would not want to exclude Whidbey from offering some of that as opposed to just trying to attract a bunch of retirees, such as himself who want to live out in the rural areas.

One of the big issues in the south end is they have a very elderly population and trouble attracting school age families and kids. He is not trying to force anybody; he thinks if the figures are looked at correctly it should be less expensive for those people who live in those areas with the proper infrastructure. He is just trying to make it attractive so they want to be there.

Commissioner Hillers asked how they can do that in the Comp Plan.

Commissioner Enell responded that he and Brad Johnson have had this discussion before. Brad Johnson has told him that they will study this and discuss it with different people and see what avenues are available to try and approach that goal.

Commissioner Yonkman clarified; Commissioner Enell is not trying to restrict the opportunity for people that live in the rural zone. If there are Urban Growth Areas people would then have the opportunity to live in those areas. It just happens that more people are choosing to locate themselves in a rural area more than an urban area according to the numbers and statistics. People can't be stopped from buying and building on legal parcels in the rural areas when there are Urban Growth Areas available. He wanted to clarify with Commissioner Enell, if he is suggesting making those Urban Growth Areas more attractive by establishing the infrastructure and attractiveness of those areas if the opportunity is available.

Commissioner Enell responded he is not proposing a down zoning in the rural areas since that was done in the last Comp Plan. He used Freeland as an example, if there is a sewer and someone can build a multi-unit complex because there is a sewer, which provides an affordable living option for a younger person. There needs to be a balance for the society here that includes different people and the only way he can see it happen is if the County adds appropriate infrastructure in those areas to make them attractive to that demographic. He is not trying to force anyone to do anything. Anything he has ever read about the GMA and smart growth, says it is less expensive for the jurisdiction when people live in compact areas that cut down the sprawl, they are not traveling all around, the bus systems work, school districts work better, that is in theory the GMA.

Commissioner Krug asked if the goal is to find a way to incentivize people to move into the more urban areas as opposed to rural areas.

Commissioner Enell said it is, but he did not want to state that in the goal because he did not know how to go about doing that. He just wanted the County to look at the numbers, the trends occurring and to deal with that fact of reality.

Commissioner Krug said Commissioner Enell is correct but how does it get worded.

Brad Johnson offered information to the Planning Commission about what exactly has been committed to be done along those lines. In the Countywide Planning Policies recently adopted, there is a policy that commits the County and the municipalities to work towards shifting growth from rural areas to urban areas during each periodic update cycle.

In the required actions in the formal review table under consistency there is a notation that the Countywide Planning Policies need to be implemented through the changes to the regulations and policies. Through that mechanism that Countywide Planning policy would be considered during the Comp Plan Update. There are also two items in the table, R2 and R23. R2 speaks to UGA sizing and through that effort they would be looking at several different UGA sizing scenarios, either going with the status quo based on the trends that were identified in the previous population papers or attempting to shift growth and laying out to the Planning Commission what would be necessary in order to achieve that; then there can be a discussion whether or not those mechanisms were in line with community values or not. Item R23 speaks to limiting sprawl through infrastructure investments. Those are the items that work towards the objective even if there were no changes made.

Chair Wallin asked staff if the 80/20 number Commissioner Enell is referring to will be addressed through the process.

Brad Johnson responded to Chair Wallin that the most notable opportunity will come near the end of summer, late August or early September when staff comes to the Planning Commission with discussion of UGA sizing. The choice to be made then is if they continue to plan for UGAs based on population allocations that evolved from the status quo. Staff would bring to the Planning Commission a number of options, that should they plan in the future to change the 20 percent urban, 80 percent rural growth split, could be implemented as a policy choice to increase the percentage occurring in urban areas. Staff would then lay out what would be necessary for a different percentage in order to achieve those goals and then there can be a discussion about whether or not those mechanisms or measures were appropriate.

Commissioner Enell said they have had this discussion, and he certainly appreciates this would be done down the road, but it is so important that they implement these things. He says it says a lot by including that in the goals to make sure it is done. All he has said is to review and to analyze those very numbers that are in line with the GMA goals.

Brad Johnson asked Commissioner Enell if the goal would be: *to consider measures to increase the percentage of growth occurring within urban areas from the baselines identified in the population allocation adopted by the Board and Planning Commission.*

Commissioner Enell so moved, Commissioner Krug seconded, motion carried unanimously.

Commissioner Enell said it appeared to him that it would seem appropriate to include somewhere in the Comprehensive Plan consideration for energy concerns and climate change.

Brad Johnson responded to Commissioner Enell that subject has come up in several discussions and he thinks it is important. The Critical Areas Update is currently ongoing; two important components that would be heavily affected by climate change are flood hazards and geo hazard areas. The consulting team has been asked to take in consideration the effects of climate change when analyzing those hazards; it is being addressed in the Comprehensive Plan Update under the requirement that they update the Critical Areas Regulations. It would be included or addressed through the flood hazard protections and through the geo hazards section.

Commissioner Enell said there also needs to be appropriate zoning. He gave the example of a group that wanted to utilize wind energy at the Greenbank Farm but it was not allowed because of the special zoning. There was a fair amount of work to get the current solar panels screened. It is a response that as a society we might have to make to deal with the potential crisis. He thinks that it needs to be recognized. He can come up with potential wording to the effect of the development of climate change and best available science will be followed and become a deciding element in Island County Planning Policies.

Brad Johnson suggested to the Planning Commission when the goals were developed their overriding objective was to try and put some parameters on the scope of the Comp Plan Update. They were conscience of the fact that they have until June of 2016 to complete at a minimum what is required by the GMA, as well as some optional items which were identified through the public outreach effort as being important to the community. He thinks that in establishing goals they need to consider exactly what it is they are committing themselves to doing.

If for instance in respect to climate changes, what is the reaction to climate change and what is their role in mitigating or reducing the effect of climate change. If they want to explore the possibility of increasing energy independence on the Island, that could be something they can do but he would caution the Planning Commission they may not have the time or resources to accomplish that goal by 2016. Without suggesting either way Brad would like to caution against committing to more work that can be accomplished.

Commissioner Enell said the considerations for climate change as it develops will be evaluated by Island County.

Brad Johnson addressed Commissioner Enell's comment. In regards to the Greenbank solar installation, in their case they needed a zoning code interpretation, a large number of uses in Island County end up being based on the format of the current code. He doesn't know if solar/wind energy would necessarily be prohibited in all zones. He is not sure that it couldn't be addressed through the review of the rural character. People thought strongly that a small scale utility project is consistent with rural character.

Chair Wallin said this could be something that can be addressed case by case basis if someone were to present a proposal.

Brad Johnson responded in a rural zone, which covers most of the County, small utilities are permitted and large utilities are Conditional Uses. If someone were proposing a solar installation it would be considered a small utility if it was a project that served a neighborhood or individual home and that would be permitted outright. The issue with Greenbank Farm and their small scale solar installation was that it is in a Special Review District, which has specific zoning requirements and it was within one of their Ag subarea designations.

An entire code audit would be required to identify what alternative energy is and find out where it is allowed or prohibited. Then how do you adapt to the effects of climate change. He was

attempting to provide some input with respect to limiting the scope of the work that is being reviewed rather than opening it up to items that may not be accomplished.

Dave Wechner said there may be some choices that can be made in the development of the rural lands element that address climate change, alternative energy strategies and he thinks that this can probably be accomplished without creating another element. He thinks it is a topic that deserves some attention, which most people would agree with. He would also discourage it for the same reason Brad Johnson stated.

Commissioner Enell added some years ago there were two efforts to put in an oil pipeline across the Island. He compared it to what has been occurring at the Port of Seattle, where they allowed Shell to store the Arctic drilling equipment and how unhappy people were about that, he thinks that some judgement criteria should be introduced which involves this rather significant climate change controversy. It strikes him as odd that such a significant topic would not be addressed in the Comp Plan.

Commissioner Yonkman asked if the effects of climate change are being addressed in some of the elements.

Brad Johnson answered that in the Critical Areas update staff specifically asked the consulting team under the contract to consider the effects of climate change on the flood hazards. He stated what the flood hazard is today may not be what it is sixty years, but if a home lasts a hundred years it is a consideration, so the consultants were asked to look at that. The sea level rise issues have been primarily identified as the most significant effect of climate change for Island County. Sea level rise could potentially have effects on rates of erosion.

In terms of a more comprehensive look, some jurisdictions have embarked on a climate change element to their Comprehensive Plan. There are a lot of things that came up during the public outreach process that sounded like excellent ideas and things that perhaps Island County should do, the concern is accomplishing the work that is required by law by June of 2016. He said there is plenty of opportunity to address other items after that date; this is not a cutoff date after which other things cannot be considered.

There is an annual review docketing process, they can update the Comprehensive Plan on annual basis after that date. The department's advice is to focus on the things which are required and to limit those things which are optional to make sure the deadline is met. Staff has struggled in the past; there has been work that has gone unfinished from previous update cycles or challenges that have gone unaddressed. Staff would like to make sure to accomplish this Comp Plan Update and to do what is required by law and meet the requirements by the deadline.

Commissioner Yonkman said he appreciates Commissioner Enell's concern but it seems like it is a slow moving issue and there is opportunity for updates and amendments based on what Brad Johnson is saying.

Commissioner Saul added, in light of the fact that climate change implications have been included in the two areas Brad Johnson identified to the Planning Commission, he would feel comfortable leaving it like that for the time being.

Commissioner Enell withdrew his motion.

Dave Wechner reminded the Planning Commission they approved individual amendments for the findings. He suggested they make a further motion to adopt the findings with the amendments.

Commissioner Krug moved to adopt the Findings of Facts including the amendments that were approved, Commission Havens seconded, motion carried unanimously.

Commissioner Krug moved to adjourn, Commissioner Saul seconded, motion carried unanimously.

Meeting adjourned at 4:30 p.m.

Respectfully submitted,

Virginia Shaddy